

## UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

Southern Division

Argus Leader Media, d/b/a Argus Leader  
V.  
United States Department of Agriculture

## PLAINTIFF EXHIBIT LIST

Case Number: 4:11-cv-04121-KES

PRESIDING JUDGE					PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
Karen E. Schreier, United States District Judge					Jon E. Arneson	Stephanie C. Bengford
TRIAL DATE (S)					COURT REPORTER	COURTROOM DEPUTY
May 24 and 25, 2016					Jill Connelly	MWT
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
1		5/24/16		Received	7 C.F.R. §1.12	
2					2009-2011 Trafficking Report Summary	
3					AG's FOIA memorandum	
4					Congressional testimony (Concannon, 4-10)	
5					Congressional Testimony (Pardis, 7-10)	
6					DOJ (Florida Trafficking)	
7					DOJ (Ohio Trafficking)	
8					DOJ (SNAP search)	
9					DOJ (Utah Trafficking)	
10					DOJ 9-21-11 letter regarding FOIA request	
11					DOJ Guide to FOIA (AG memorandum)	
12		5/24/16		Received	Executive Order 12600	
13					Obama FOIA Memorandum	
14					Open Government at USDA   USDA	
15					SNAP EBT	
16					SNAP Eligible Food	
17					SNAP Fed. Register	
18					SNAP for Researchers	
19					SNAP Fraud Poster	
20					SNAP History	
21					SNAP Household Map	

22					SNAP Program Data
23					SNAP Reports
24					SNAP Research grants
25					SNAP Retail Eligibility
26					SNAP Retail Information
27					SNAP Retailer Info #2
28					SNAP Retailer Locator
29					Trafficking report press release
30					USDA Concannon Biography
31					USDA press release - 2013 fraud prevention
32		5/24/16		Received	USDA RFI press release (8-4-14)
33					Weatherly denial letter (received 2-17-11)
34					Gold declaration [21] regarding SNAP administration
35					Gold declaration [54-1] on need for RFI follow-up
36					Gold declaration [59] on RFI and declaration processes (1-20-15)
37					Gold declaration [78] defending processes(6-1-15)
38					Modine declaration [20] regarding SNAP records
39		5/24/16		Refused	Weatherly declaration [13-1] regarding cost of Exemption 4 notice
40					USDA FNS Trafficking Report 2009-2011 (Executive Summary)
41					Vilsack 9-24-13 letter to Ass'n Health Care Journalists
42					USDA ERS - 2014 Farm Act Maintains SNAP Eligibility Guidelines and Funds New Initiatives
43					Federal Register   Enhancing Retailer Standards in SNAP
44					USDA Seeks Public Input to Increase Transparency of SNAP Retailer Data
45					Federal Register RFI (8-4-14)
46					USDA request for declarations (12-1-14)
47		5/24/16		Refused	USDA script(s) for e-mail and telephone notice to retailers
48					RFI comment search results for "compete"
49					RFI comment search results for "competition"
50					RFI comment search results for "competitive"
51					RFI comment search results for "competitive harm"
52					RFI comment search results for "substantial competitive harm"
53					RFI comment spreadsheet (alphabetized)

54					USDA Declarant Spreadsheet
55					Barbier (Big B's) declaration explanation
56		5/24/16		Received	Barbier (Big B's) declaration
57					Bourne (Ragland Brothers) declaration explanation
58		5/24/16		Received	Bourne (Ragland) declaration
59					Buche declaration explanation
60		5/24/16		Received	Buche declaration
61		5/24/16		Received	Champagne declaration
62		5/24/16		Received	Hays (Dyer) declaration
63					Hays (Food Rite) declaration explanation
64		5/24/16		Received	LeBlanc (Raintree) declaration
65		5/24/16		Received	Perret (Club Grocery) declaration
66					Snyder (Supervalu) declaration.
67		5/24/16		Received	St. Germain (Pierre Part) declaration
68		5/24/16		Received	Zahar declaration
69					FMI declaration (Barnes)
70					FMI   Food Marketing Institute   FMI Government and Public Affairs
71					FMI   Food Marketing Institute   FMI Research Resources
72					FMI   Food Marketing Institute   Food Marketing Institute
73					FMI   Food Marketing Institute   Supermarket Facts
74					FMI September 9, 2014
75					FMI 12/2/14 conference call
76					FMI 12/16/14 conference call
77					Clark (UFCW) RFI declaration
78					Levy (NYC Coalition Against Hunger) RFI declaration
79					Schwartz (Interfaith) RFI declaration
80					Stark (A'ssn Health Care Journalists) RFI declaration
81					Wilde (Friedman School of Nutrition Science and Policy) RFI declaration
82					Forman (Cumberland) declaration
83					Kmart declaration (Macks)
84					Kmart State Store Directory/ Find a Nearby Kmart Store
85					Larkin (NGA) declaration

86					Larkin (NGA) declaration explanation
87					Larkin expert report
88					Sougstad expert report
89					Volpe expert report
90					Bengford 5-3-14 e-mail
91					Bengford 6-16-14 e-mail.
92					Arneson 5-13-15 letter to USDA declarants
93					Arneson 6-10-15 follow-up letter to declarants
94					USDA's refusals to disclose post-RFI reports
95					USDA's RFI exemption 4 spreadsheet
96					Government Contract Chart
97		5/24/16		Refused	Government Program Chart
98					About Us   What Consumers Watch and Buy   Nielsen
99					Businesses in the United States // WhereOrg
100					National Retail Federation   Home
101					Cortera B2B Insight Reports with SOFIE™ – Cortera
102					Resources - Cortera
103					Food-us.org
104					Strategy& - the global strategy consulting team at PwC
105					Strategy& - the global strategy consulting team at PwC
106					Consumer Data   National Retail Federation
107					Grocery Stores & Supermarkets Industry Profile from First Research
108					Stagnito Business information + Edgell Communications
109					Results of generic internet search for "market research for grocery stores"